

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
5/19/2021
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

MATTHEW SCHWARTZ

CASE NUMBER:
UNDER SEAL

21CR316**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about November 27, 2020, at Schaumburg, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant violated:

Code Section

Title 18, United States Code, Section
875(c)

Offense Description

Transmitting in interstate commerce communications
containing a threat to injure the person of another

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

/s/ Holly Groff (MDW w/ permission)

HOLLY GROFF

Special Agent, Federal Bureau of Investigation
(FBI)

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: May 19, 2021

M. David Weissman

Judge's signature

City and state: Chicago, Illinois

M. DAVID WEISMAN, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, HOLLY GROFF, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been so employed since approximately June 2014. My current responsibilities include the investigation of criminal violations relating to sex trafficking, with an emphasis on sex trafficking of minors, in violation of Title 18, Unites States Code, Sections 1591, child exploitation and child pornography, in violation of Title 18, Unites States Code, Sections 2252, 2252A. I have received training in the area of sex trafficking, child pornography, and child exploitation.

2. This affidavit is submitted in support of a criminal complaint alleging that Matthew Schwartz has violated Title 18, United States Code, Section 875(c). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SCHWARTZ with interstate threats, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement personnel, and from persons with knowledge regarding relevant facts.

I. FACTS SUPPORTING PROBABLE CAUSE

a. Summary of Probable Cause

4. On or about November 9, 2020, a 22-year-old female (“Individual A”) was interviewed by law enforcement regarding, among other things, her relationship with her ex-fiancé, a man named Matthew SCHWARTZ. Individual A told law enforcement that she met SCHWARTZ online in the summer of 2018. At that time, Individual A was 20 years old and SCHWARTZ was 48 years old. Individual A and SCHWARTZ entered into an arrangement under which Individual A provided companionship to SCHWARTZ in exchange for monetary payment. Later, SCHWARTZ developed romantic feelings for Individual A and the two became engaged to be married in September 2019. Approximately four months later, in February 2020, Individual A ended the engagement. Soon thereafter, SCHWARTZ began a campaign of threats and harassment against her, that included: creating flyers depicting Individual A with the intention of disseminating the flyers to Individual A’s neighbors stating that Individual A was a prostitute; leaving a shovel on Individual A’s garage entrance with a note calling her a gold digger; the theft of Individual A’s dog from her home when Individual A was away; stalking Individual A; changing the title to Individual A’s car; and sending several threatening and harassing text messages to Individual A from disguised phone numbers.

5. As detailed below, there is probable cause to show that SCHWARTZ sent each of the threatening text messages to Individual A using a mobile application to disguise the phone number from which he was sending the messages.

b. In March 2020, SCHWARTZ Stole Individual A's Dog.

6. According to Individual A¹, on or about March 6, 2020, shortly after Individual A ended her relationship with SCHWARTZ, Individual A's dog, "Louie", which was a cross between the Maltese and the Yorkshire Terrier dog breeds, went missing from her home. SCHWARTZ purchased Louie for approximately \$4,000.00 and gifted Louie to Individual A as a Christmas gift. Individual A was away from her residence on the evening of March 6, 2020 when she received an alarm notification from Xfinity that indicated the rear sliding door of Individual A's apartment had been opened.

7. According to reports from the Schaumburg Police Department, police arrived on scene and did not discover any intruders present within the apartment. According to Individual A, she arrived to the residence after the police had cleared the scene and discovered that Louie was missing. Individual A reported the disappearance of Louie to the Schaumburg Police Department and also notified the police that the handle to the rear sliding door was broken. According to Individual A, SCHWARTZ previously had a key to Individual A's apartment, however when they broke up in or around February 2020, he returned the key.

8. According to Individual A, on or about March 8, 2020, Individual A arrived to SCHWARTZ's residence in the area of Guthrie Drive in Inverness, Illinois ("Schwartz Residence 1") and recorded a video of Louie inside SCHWARTZ's residence. I have reviewed that video and it depicts a small terrier breed dog and a

¹ Individual A has a prior conviction for a DUI. Individual A has no other criminal convictions.

rottweiler dog behind a glass door inside of a residence. A female voice is heard saying “Are you going to let us in?” Affiant is familiar with the appearance of the front entrance to Schwartz Residence 1 and recognized the white pillars and brick entrance to the residence in the video as belonging to the front entrance of Schwartz Residence 1.

9. According to Illinois Secretary of State records, Schwartz Residence 1 is listed on SCHWARTZ’s Illinois driver’s license as his residential address.

10. According to Individual A, she called SCHWARTZ on the phone from the front entrance of the residence and demanded that he return Louie or she would contact the police. SCHWARTZ responded to the front door and allowed Individual A and her friend entry into Schwartz Residence 1. SCHWARTZ requested that she not contact the police and he subsequently allowed Individual A to pick up Louie from the floor and remove the dog from the residence.

c. In April 2020, Individual A believes that SCHWARTZ Placed a Shovel and a Book next to Individual A’s Garage Door.

11. According to Individual A, on or about April 4, 2020, Individual A left her apartment to take her dog Louie for a walk. Individual A was gone from her apartment for approximately 10-15 minutes. When she returned to her apartment, she found a gold shovel and a book entitled “The Ethical Slut” at the entrance to her garage. The shovel had the words “1st place gold digger, cheater, liar, slut, whore, skank, asshole” and “Ani Punani- [Individual A’s name]” written on it in black marker. Individual A explained that ‘Ani’ was a nickname that SCHWARTZ gave her and would routinely call her by the nickname.

d. In April 2020, SCHWARTZ Told a Facebook User that He Was Stalking Individual A.

12. On or about May 22, 2020, the Honorable Judge Gary Feinerman signed a search warrant for Facebook account ID 1275748805 belonging to SCHWARTZ.

13. Pursuant to the warrant, law enforcement seized messages between SCHWARTZ and a Facebook user (C.W”) that took place on or about April 7, 2020. Specifically, at approximately 11:50 p.m., SCHWARTZ sent a message to C.W. stating, “I’m gonna go stalk her later tonight...” On or about April 8, 2020 at approximately 12:00 a.m., C.W. responded, “Oh yeah? Whaddya gonna do? I’m all ears, dude!” At approximately 8:24 a.m. on April 8, 2020, SCHWARTZ responded, “Basically I sat outside her apartment and got on her Wi-Fi. If she was home I can connect to her cell phone can get copies of her text messages picture contacts calendar video notes any emails. I can’t get Snapchat or Facebook stuff. But she wasn’t home tonight so I didn’t get anything.” At approximately 8:26 p.m. the same day, SCHWARTZ sent another message to C.W. stating, “I’ll try again tomorrow around noon. I transferred the title of her car into my name today. As soon as I get a new key made her old key will stop working. I slash[ed] the tires [on] one of her Dude’s car the other night. Ha Ha.”

14. On or about March 10, 2021, Individual A informed this Affiant that on or about April 3, 2020 a male friend was visiting Individual A at her apartment. During the course of his visit, the tires on his vehicle were slashed. At the time of the incident, the vehicle was parked outside of Individual A’s garage. According to Individual A, the incident was not reported to police.

e. In June 2020, SCHWARTZ Changed the Title to Individual A's Car.

15. According to records obtained from the Schaumburg Police Department, on or about June 29, 2020, Individual A reported that she believed SCHWARTZ had stolen the title to her vehicle and had it titled under his name. According to the report, the vehicle was a black 2015 Mercedes Benz which Individual A purchased with SCHWARTZ on December 27, 2018 from Carmax in Tinley Park, Illinois. Officers reviewed the sale paperwork regarding the vehicle and determined that Individual A was listed as the sole buyer of the vehicle. Individual A reported that she made contact with the Illinois Secretary of State and that a representative informed her that the title to her vehicle was now titled under SCHWARTZ's name.

16. According to Schaumburg Police Department records, on or about June 30, 2020, SCHWARTZ contacted the investigating Schaumburg police officer and in summary stated that he had been engaged to Individual A, however she broke the engagement off. SCHWARTZ stated that the vehicle license plate was registered under Individual A's name, but the title was in SCHWARTZ's name. SCHWARTZ reported to police that Individual A had signed off on the title while she was staying with him in exchange for all of the money that he paid for the wedding before it was called off.

17. According to Schaumburg Police Department records, on or about July 1, 2020, SCHWARTZ arrived at the Schaumburg Police Department with a title issued for the vehicle under his name. According to the records, Schaumburg officers confronted SCHWARTZ as to why the signature of Individual A on the original

Carmax paperwork looked different than Individual A's signature on the title. SCHWARTZ stated that he did not know why the signatures looked different and was adamant that he did not forge Individual A's signature on the document. SCHWARTZ advised that he acquired the new title from the currency exchange in Palatine, Illinois.

18. On or about July 5, 2020, according to Schaumburg Police Department records, SCHWARTZ emailed the investigating Schaumburg police officer and stated that after considering his conversation with the officer, SCHWARTZ did not want to get in trouble nor did he want any of his friends to get into trouble. SCHWARTZ agreed to sign over the title to the vehicle to Individual A. Accordingly, on or about July 13, 2020, SCHWARTZ appeared at the Schaumburg Police Department and signed the vehicle title, transferring the ownership of the vehicle back to Individual A.

f. In June 2020, Individual A observed SCHWARTZ sitting in his vehicle outside her apartment.

19. According to Individual A, on or about June 27, 2020, in the evening after the sun had set, Individual A observed SCHWARTZ's vehicle parked in the south parking lot of her apartment building in the area of Aster Drive in Schaumburg, Illinois ("Individual A Residence"). Individual A Residence includes a south-facing second floor apartment balcony with an unobstructed visual line-of-sight to the parking lot. A friend was present at Individual A Residence at the time that the vehicle was observed. Individual A's friend began recording a video of the vehicle from the balcony as the vehicle backed out of the parking lot. I have viewed the video. The

video depicts an individual in a red Mitsubishi, with the headlights on, driving the vehicle in reverse out of the parking lot onto Aster Drive. The vehicle then proceeds to drive south on Aster Drive. The vehicle's registration is not visible in the video.

20. According to Illinois Secretary of State records, at this time, a 2015 red Mitsubishi utility vehicle was registered to SCHWARTZ with Illinois registration plate Z986997, registration expiring in October 2020. An open source Internet search of the Vehicle Identification Number (VIN) indicates this registered vehicle is a 2015 Mitsubishi Outlander.

g. From May 2020 to January 2021, SCHWARTZ Sent Individual A Threatening and Harassing Text Messages from Disguised Phone Numbers.

21. Beginning in or around May 2020, Individual A began to receive text messages from unknown phone numbers. Based on the content of the messages, Individual A told law enforcement that she believed the messages came from SCHWARTZ.

i. May 31, 2020 Text Messages

22. Specifically, on or about May 31, 2020 at approximately 1:00 a.m., Individual A received several text messages from phone number XXX-XXX-3591 ("Burner Phone 1"). The first text message stated, "I am going to attack the fuck out of you and kill you dead if you do not start talking to me I'm not fucking kidding. What you did to me was atrocious motherfuckers will kill for \$10,000 what you did to me with 300 fucking thousand dollars two years of my life and my worst fucking nightmare you deserve to be choked life are you do you need to come talk to me or

things are gonna get really fucking bad I'm going to prison anyway bitch so who the fuck cares right I got another [nothing] left to lose." The next text message, sent on the same day and time, read, "Honestly deaths too good for you." The next text message stated, "Give me the phone number [of] your sugar daddy so I can talk to [him] [re]member when you we're [were] gonna do that you never did." The following text message stated, "So he could pay me off and make [male name] you tell him to come [cut] your fucking check now I'll check tell him to wire transfer \$300,000 and I will leave you the fuck alone you'll never hear form me again you know what let's make it 350 for pain and suffering three and \$50,000 and you'll never have to hear from me again good at 350000."

23. On or about February 24, 2021, law enforcement obtained records from Ad Hoc Labs, Inc., the developer of Burner, a mobile application which generates temporary disposable phone numbers. According to Ad Hoc Labs records, Burner Phone 1 was created on May 31, 2020 and expired on June 14, 2020. Ad Hoc Labs records indicated that XXX-XXX-6054 ("Schwartz Phone 1") was the "user phone number" for Burner Phone 1.

24. According to records obtained from AT&T, the financially liable party for Schwartz Phone 1 is Nelix Inc, with listed contact name as Matt Schwartz with a user address of Schwartz Residence 1.

25. Additionally, on or about December 3, 2020, this Affiant received an e-mail from email address matt@nelix.com that was signed by MATTHEW

SCHWARTZ. The email signature block read “Matthew J. Schwartz CEO Nelix, Inc.” and the email included the number for Schwartz Phone 1 at the end of the message.

26. On or about May 5, 2021, I had a telephone call with a representative of Ad Hoc Labs who explained that the “user phone number” reflected in Ad Hoc Labs records is the phone number entered by a user during the creation of an account with Burner App. The representative further explained that after a user enters a phone number into the Burner App, a verification code is sent to that phone number that must be entered into the Burner App by the user in order for the user to create a Burner account and subsequently create a Burner Phone number.

ii. November 3, 2020 Text Messages

27. On or about November 3, 2020 at approximately 2:41 a.m., Individual A received several text messages from phone number XXX-XXX-7845 (“Burner Phone 2”). The first text message stated, “Hey bitch. It really irritates me. That you blocked me again. You know how pointless it is right?” The next text messages included the following statements, “You know the endgame is designed so that you don’t get hurt. And in fact it ends up with you in a good place. I can change that. So that it ends with you getting ended. And I [it] could end with you getting ended in one of three ways. 1) quick and painless. 2) slow and painful 3) a kind of living death. But I chose option 4) you not getting ended at all. Instead you are left actually in a better place. You see? I love you. And that is why. But don’t push me. . . . Just be happy I’m taking the high road and not hurting you. Most people would choose a different path. Don’t fuck with me or I will become most people. I will choose #2 instead of #4. Don’t be dumb I

really don't want to hurt you that way. I don't want to do #1, 2, 3. Don't make me. Don't fuck me up. Don't antagonize me. It would be really dumb. And by the way, what I got planned is completely independent on [of] me, and if anything happens to me it will escalate and get way worse, putting your family in danger and all fingers will point at you. Also I have an opportunity, to do something really really bad tonight – something that would fuck you up really hard. But I have passed on the opportunity. You are welcome. Because I love you. So I'm holding back You have a lot of enemies though. One of them may [take] the opportunity, but it won't be me."

28. According to Ad Hoc Labs records, Schwartz Phone 1 was the "user phone number" for Burner Phone 2. Burner Phone 2 was created on November 3, 2020 and expired on November 11, 2020.

iii. November 27, 2020 Text Messages

29. On or about November 27, 2020 at approximately 2:10 a.m., Individual A received several text messages from phone number XXX-XXX-3639 ("Burner Phone 3"). The first message included the following statements, "Seriously I know of 2 other guys who had a girl like you who did the same thing to them that you did to me. One of them killed themselves. One of them killed the girl. What would you have done if you were me? Seriously. Think about it all. Not just one isolated incident. But every bit of it start to finish. Put yourself in my place and imagine how it feels. . . . I should have just killed you. But I couldn't live with myself. And now the best choice is for me to kill myself. I bet you won't care. Or worse. You'll be Fucking happy about it. Evil. Sick. Horrible. I can't even believe you were somebody I once thought had good

qualities. Fuck I was so wrong.” The next text message stated, “And now you just ignore me. You think that will make me go away. It just strengthens my resolve. If I decide to kill my self – and I’m close to that decision. You could be damn sure I’ll be taking you and your flavor of the day with me.”

30. According to Ad Hoc Labs records, Schwartz Phone 1 was also the “user phone number” for Burner Phone 3. Burner Phone 3 was created on November 27, 2020 and expired on November 30, 2020.

31. In addition to Burner Phone 1, Burner Phone 2, and Burner Phone 3, Ad Hoc Labs records indicated that Schwartz Phone 1 was listed as the “user phone number” for at least 12 additional disguised phone numbers created using the Burner App between approximately May 31, 2020 and December 1, 2020.

iv. SCHWARTZ Created the Burner Phone Numbers and Sent the Threatening Text Messages to Individual A.

32. According to records obtained from Apple, the Burner App was downloaded by Apple ID account nelix@me.com subscribed to by SCHWARTZ (“Schwartz Account 1”) on or before February 20, 2020. The Apple records show the Burner App was updated or redownloaded by Schwartz Account 1 numerous times between February 2020 and March 2021.

33. Additionally, Apple records indicate that Schwartz Account 1 made several purchases of “credit packs” and Burner monthly subscriptions from Ad Hoc Labs beginning in or around March 2020 until approximately March 2021. According to a representative from Ad Hoc Labs Inc., a user of the Burner App must purchase

credit packs or subscriptions in order to make and receive phone calls and send and receive text messages from Burner phone numbers.

34. According to Apple records, Schwartz Account 1 purchased several credit packs and monthly subscriptions from Internet Protocol (“IP”) address 24.1.179.253. According to records obtained from Comcast, as of at least October 3, 2020, IP address 24.1.179.253 was subscribed to SCHWARTZ at Schwartz Residence 1.

h. In December 2020, SCHWARTZ prepared flyers depicting Individual A for dissemination to her neighbors.

35. According to Individual A, on or about December 31, 2020, Individual A received a text message from phone number XXX-XXX-0451, reading “Check under your car for a tracker from mr Schwartz...Did you get the red letter by your condo. An angel told me to let you know...” The XXX-XXX-0451 phone number then sent Individual A another text message that included a photograph of a flyer depicting Individual A. In addition to photographs depicting Individual A, among other things, the flyer included the following typed text:

There is a prostitute living at [Individual A Residence]. I have seen her wearing very revealing clothing, stumbling around drunk at late hours, and keeping very unappealing and unsafe people around her (who I assume are gang bangers, pimps, drug dealers and other women of ill-repute). This not only brings down the value of our community, but makes it unsafe as well. I have become afraid to walk outside at night.

- This girl is bringing dangerous people around our families
- This girl is having sex with our husbands... She is clearly a homewrecker.
- This girl is a horrible example for our children.

I do not want to raise my children in an environment that welcomes this type of person and behavior. If there is one, there are probably more, or soon will be. Her name is [Individual A] I urge you to take action. Let's not let [Neighborhood A] become the ghetto of Schaumburg. Please contact management (I have included [Management Company A] contact information below for your convenience) and tell them you demand they take action.

36. On or about January 14, 2021 and May 13, 2021, law enforcement interviewed a former employee of SCHWARTZ ("Individual B"). Individual B stated that s/he asked his/her friend to send the text message to Individual A as described above. Individual B told law enforcement that she left a copy of the flyer sealed inside a red envelope at Individual A's residence. Individual B stated that in or around November 2020, while at Schwartz Residence 1 she observed a box containing printed flyers depicting Individual A in SCHWARTZ's office. According to Individual B, SCHWARTZ asked Individual B to help pass the flyers out. Individual B did not pass out any of the flyers. Individual B provided law enforcement with approximately 24 copies of the flyer which depicted Individual A and which is described above. Individual B stated that s/he felt that Individual A was "so young" and alone in the situation with SCHWARTZ. Individual B felt that Individual A "had a right to know [about the flyer]". Individual B explained that SCHWARTZ also asked her/him to help place a tracker on Individual A's car. Individual B refused to help SCHWARTZ place a tracker on Individual A's car. Individual B requested that his/her friend send the text message from their phone so that Individual B's phone number would not be identified and therefore it would not be known that Individual B warned Individual A about the tracker and flyer.

i. In December 2020, Individual A Obtained an Emergency Order of Protection Against SCHWARTZ.

37. On or about December 7, 2020, Individual A applied for and was granted an emergency order of protection against SCHWARTZ by the Circuit Court of Cook County. The order of protection orders SCHWARTZ to “stay away from petitioner (Individual A) and other protected persons, including but not limited to refraining from telephone calls, mail, e-mail, faxes, written notes, and communications through third parties.” According to Individual A, on or about February 5, 2021, Individual A received notification from the Circuit Court of Cook County that a Motion to Vacate the two-year plenary order of protection had been filed by SCHWARTZ. On or about May 14, 2021, the plenary order of protection was vacated.

II. CONCLUSION

38. Based on the foregoing, I respectfully submit that there is probable cause to believe that on or about November 27, 2020, MATTHEW SCHWARTZ transmitted in interstate commerce threats to injure the person of another, in violation of Title 18, United States Code, Section 875(c).

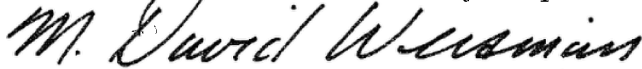
FURTHER AFFIANT SAYETH NOT.



HOLLY GROFF

Special Agent, Federal Bureau of
Investigation

SWORN TO AND AFFIRMED by telephone on May 19, 2021.



Honorable M. DAVID WEISMAN
United States Magistrate Judge